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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

11	BERNARDINA ZUNIGA, an)	Case No. CV 10-00518 DDP (RCx)
12	individual,)	
13)	ORDER GRANTING DEFENDANT'S MOTION
14	Plaintiff,)	TO DISMISS WITH PREJUDICE
15)	[Motion filed on May 14, 2010]
16	v.)	
17)	
18	GMAC MORTGAGE, LLC;)	
19	RESIDENTIAL FUNDING REAL)	
20	ESTATE HOLDINGS, LLC, Its)	
21	successors and/or assigns,)	
22	ETS SERVICES, LLC; and DOES)	
23	10 to 10, inclusive,)	
24)	
25	Defendants.)	
26)	

This matter comes before the Court on a motion to dismiss for failure to state a claim filed by the defendants GMAC Mortgage, LLC, Residential Funding Real Estate Holdings, LLC, and ETS Services, LLC (collectively "Defendants").

On January 25, 2010, the plaintiff Bernardina Zuniga ("Plaintiff"), appearing pro se, filed a Complaint against Defendants alleging seven causes of action arising from a residential mortgage transaction: (1) wrongful foreclosure; (2) violation of the Truth in Lending Act, 15 U.S.C. § 1601 et seq.;

1 (3) violation of the California Rosenthal Act, Cal. Civ. Code §
2 1788 et seq.; (4) predatory lending; (5) fraud; (6) violation of
3 the Unfair Competition Law, Cal. Bus. & Prof. Code § 17200 et seq.;
4 and (7) failure to provide a Spanish translation of loan documents,
5 Cal. Civ. Code § 1632.

6 On May 14, 2010, Defendants filed this motion to dismiss
7 pursuant to Federal Rule of Civil Procedure 12(b)(6) and noticed it
8 for a hearing on June 21, 2010. Under Local Rule 7-9, any
9 opposition to a motion must be filed no later than twenty-one days
10 before the hearing. C.D. Cal. Civ. Local R. 7-9. Under Local Rule
11 7-12, the failure to file an opposition may be deemed consent to
12 granting the motion. Id. 7-12. Because this motion was scheduled
13 for a hearing on June 21, 2010, Plaintiff's opposition was due by
14 no later than Tuesday, June 1, 2010.¹ As of the date of this
15 order, Plaintiff has not filed anything in response to Defendants'
16 motion.

17 Pursuant to Local Rule 7-12, the Court construes Plaintiff's
18 failure to oppose the motion as consent to granting the motion.
19 Therefore, Defendants' motion is GRANTED and Plaintiff's Complaint
20 is DISMISSED WITH PREJUDICE.
21 IT IS SO ORDERED.

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24 Dated: June 15, 2010


DEAN D. PREGERSON
United States District Judge

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28 ¹The due date would have fallen on May 31, 2010, a court
holiday; therefore, the deadline was continued until the end of the
next day. Fed. R. Civ. P. 6(a)(1)(C).